REMARKS/ARGUMENTS

In response to the Office Action mailed October 7, 2005, Applicant amends his application and requests reconsideration. No claims are added or cancelled so that claims 1-48 remain pending.

The Examiner rejected a number of claims as indefinite, alleging that those claims fail to claim the invention properly. The Examiner asserted that the term "anomaly detection device" is unclear. The Examiner further stated that the term had been construed "in most of the claims as being...an RFID device, located on the portable safe." This construction was, according to the Examiner, inconsistent with claim 33. These comments are exceedingly confusing and raise questions about the examination of this patent application.

Claim 33 is not the only claim which might have raised the issue cited by the Examiner. That claim has a counterpart in claim 11, but the same question was not raised with respect to that claim. Further, it is unknown how the Examiner could have potentially construed the anomaly detection device as an RFID. While an examiner is instructed to give the broadest interpretation of claims consistent with the disclosure of a patent application, it appears the Examiner may have gone well beyond the patent application in this instance.

The patent application provides several examples of anomaly detection devices. For example, the paragraph appearing at page 16, lines 22-26 describes an impact sensor and tilt sensor as examples of such sensors. These sensors are intended to detect attempted mechanical destruction of a portable safe or the tilting of a portable that would be inconsistent with normal usage of the safe. Both sensors would indicate tampering or other improper activities with respect to a safe.

Attention is also directed to the passage at page 20, lines 5-12 describing anomaly detection with regard to the duration of non-installation of a portable safe. In other words, as described in the patent application, when a safe is neither connected to a game-related machine nor to a currency control machine for too long a period, then there is an apparent anomaly. Each safe is intended to be connected to either a game-related

machine or to a currency control machine or to be in transit between such machines. When the transit time is too long, then there is a suggestion that there may be an attempt to steal the portable safe or some other improper activity. In that case, an anomaly occurs and is detected as described in the patent application.

Further, as described in part at page 28, lines 20-28 of the patent application, an anomaly may occur because of the location of a portable safe based upon signals that can be exchanged through the antenna of the portable safe. For example, if a portable safe is taken to an area within a building that includes a casino but in which there are neither currency control machines nor game-related devices, the system detects a positional anomaly of the safe and a warning signal is issued. As an example, such an anomaly detection device may be located at exits from areas where portable safes are properly present and an attempt to remove a portable safe is easily detected.

As is apparent from the foregoing discussion, the anomaly detection device as described in the patent application may be self-contained with respect to a safe but provide an alert through transmission of a signal through the antenna of the safe or might involve an external device exchanging information with a safe. Perhaps in some applications the latter kind of device might include an RFID. However, it is apparent that limiting the scope of the anomaly detecting devices according to the invention to RFIDs is improper. Further, the patent application itself never uses the term RFID and it is presumed the Examiner has read into the disclosure of the patent application some of the description of at least one of the references cited in the Office Action.

While Applicant firmly believes that the rejection pursuant to 35 USC 112, second paragraph, is based upon an error in the examination process, in order to advance the prosecution, the dependent claims relating to the anomaly detection device have been amended, consistent with the disclosure of the patent application, to advance the prosecution without altering the scope of the claimed subject matter.

Although the patent application includes four independent claims, each of those claims describes a portable safe. The term "portable" is so well understood that it really does not need further definition. The terms means "capable of being carried", "easily carried or moved" and an example of its usage as a noun means "something that is

portable, such as a lightweight typewriter." The safe contemplated in the patent application similarly can be transported by a person as described in the sentence beginning on page 14, line 20 and continuing through page 15, line 5. Although the meaning of the description of the safe as portable seems self-evident, the ordinary meaning of the term seems not to have been given to the claims as indicated by the prior art rejections discussed below. In this Amendment, each of the four independent claims, claims 1, 16, 23, and 38, has been amended to make clear that a portable safe is transportable by a human. The cited passage of the patent application at pages 14 and 15 clearly supports this amendment.

Independent claims 1 and 23, along with a number of dependent claims, were rejected as anticipated by Fukatsu et al. (U.S. Patent 5,804,804, hereinafter Fukatsu). This rejection is respectfully traversed. If claims 1 and 23 are not anticipated by Fukatsu, then none of the claims depending from those claims and that likewise were rejected as anticipated can be anticipated.

Fukatsu relates to a highly complex robotic system in which a plurality of automatic teller machines are serviced by a robot. The robot supplies cash to the automatic teller machines and retrieves cash and other items from the automatic teller machines. According to Fukatsu, unlike previously known machines, the robot does not require a track or rails for movement of the robot between the automatic teller machines and a cash receiving/dispensing sorter 132. Instead of using tracks, the robot, in Fukatsu, follows a path established on the floor supporting the robot, the automatic teller machines, and the sorter. The system is automatic and involves the wireless transmission of instructions to the robot so that it may service the proper automatic teller machine and, when necessary, report to the sorter for interaction.

Fukatsu simply cannot anticipate any claim now pending because no portable safe that is transported by a person is described by Fukatsu. The Fukatsu robot is self-propelled, including an internal power supply and a drive motor with wheels that moves the robot amongst the automatic teller machines and the sorter. The absence of a portable safe that can be transported by a person in Fukatsu means that Fukatsu cannot supply all

of the limitations of claims 1 and 23 and their respective dependent claims 2-15 and 24-37. Therefore, Fukatsu cannot anticipate any of those claims.

The other two pending independent claims, claims 16 and 38, were rejected as obvious over Fukatsu in view of Davis et al. (U.S. Patent 6,059,090, hereinafter Davis). This rejection is respectfully traversed.

Davis was cited as describing a cash box including shutters that control the opening and closing of slots, allegedly the shutter plates and windows mentioned in claims 16 and 38. Even if those parts of Davis are adopted to modify Fukatsu, the result is still lacking a portable safe that can be transported by a person as in the safes described and claimed in claims 16 and 38.

Further, the disclosure of Davis is so different from that of Fukatsu that Davis cannot suggest any modification of Fukatsu. Davis concerns a cash box for use in vehicular public transportation, such as in a bus. The cash box so provided has nothing whatsoever to do with the complex robotic structure described by Fukatsu. Cash is collected and dispensed in different ways in Fukatsu and Davis. Further, it is impossible for Davis to suggest a modification of Fukatsu to include a portable safe that can be transported by a person without completely vitiating the reason for citing Fukatsu. For these reasons, the rejection of claims 16 and 38 as obvious over Fukatsu in view of Davis is erroneous and, upon reconsideration, should be withdrawn.

The foregoing comments address the errors in the rejections of the four independent claims and therefore address all rejections. While other claims were rejected on different grounds, all rejections depend upon the propriety of the rejection of two independent claims as anticipated by Fukatsu and the rejection of the other two independent claims as obvious based upon Fukatsu in view of Davis. Accordingly, no comment is necessary nor supplied with respect to the rejections based upon the patents to Dauville and Wells.

Dependent claims 4-11, 17-22, 26-33, and 39-44 all concern anomaly detection devices. Claims 4-11 and 26-33 were rejected as obvious over Fukatsu in view of Anderson (U.S. Patent Publication 2003/0122673). Claims 17-22 and 39-44 were

rejected as obvious over Fukatsu in view of Davis and further in view of Anderson. These rejections are respectfully traversed.

Apparently Anderson is the source of the Examiner's interpretation of the anomaly detection devices as RFIDs. Anderson provides positional detection by, for example, providing an RFID reader at an exit from some closed location. The reader reads tags passing by that area, the tags being RFIDs. These RFIDs, as well known in the art, are passive devices which can be read when near a reader but otherwise do not provide communication.

With respect to the rejected dependent claims, it is apparent that neither Davis nor Anderson can suggest any reasonable modification of Fukatsu. The differences between Fukatsu and Davis have already been described. There would be no reason whatsoever to employ the RFID tag system of Anderson in the apparatus of Fukatsu. Fukatsu readily determines the location of the robot at all times through wireless communication with the robot. An RFID tag can only be effective for determining location when near an RFID tag reader. Making the substitution hypothesized would decrease the utility of the Fukatsu apparatus and, therefore, would not be made.

Further, there would be no reason to detect positional, orientation, tilt, or connection anomalies in Fukatsu. There is never a positional anomaly in Fukatsu because the robot can only travel over a fixed path. There is no issue concerning orientation of the robot, the duration of its connection to or disconnection from an ATM machine or the sorter. The Fukatsu robot is confined to a limited access area so that an impact or tilt sensor would serve no purpose and would not be added to Fukatsu, regardless of the disclosure of Davis and Anderson.

If it is assumed, merely for the sake of argument, that Fukatsu, Davis, and Anderson might, in some way, be combined, it is apparent that no anomaly detection device could be found in combination for detecting anomalies in orientation, connection, or impact as described in dependent claims 4-11, 17-22, 26-33, and 39-44. Therefore, independent of the action with respect to the independent claims and the other dependent claims, these four groups of dependent claims should be allowed.

Reconsideration and allowance of claims 1-48 are earnestly solicited.

Respectfully submitted,

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